

## **REMARKS/ARGUMENTS**

### **Status of the Claims**

Prior to entry of this amendment, claims 1-21 were pending in the application. Claims 1, 9 and 11 have been amended, no claims have been added and no claims have been canceled. Therefore, after entry of this amendment, claims 1-21 remain pending for examination.

### **Priority Claim**

This application claims priority to provisional U.S. Patent Application Nos. 60/437,441 and 60/437,443 (the "Provisional Applications"), both filed January 2, 2003. The office action takes the position that the claims pending in the present application are not entitled to the priority date of the Provisional Applications. The claims, however, stand rejected as being anticipated by U.S. Patent No. 6,801,940 to Moran et al (hereinafter "Moran"), which has an effective filing date of January 10, 2002, so the issue of whether the pending claims are entitled to the priority date of the Provisional Applications is not relevant to the propriety of the rejections. Accordingly, that issue will not be discussed in detail herein, except to note that Applicants do not concede that the office action's position is correct.

### **Amendments to the claims**

Claims 1 and 9 have been amended to recite "wherein the component repository is configured to provide a list of components that are available to be invoked by the IDE runtime environment. Support for these amendments can be found throughout the application, including specifically, in ¶ 0024 on page 7 of the application.

Claim 9 has been further amended to address a rejection of that claim under 35 U.S.C. § 101, which is discussed below.

Claim 11 has been amended to recite a "component repository" which finds antecedent basis in claim 10, from which it depends. The amendment to claim 11 corrects a mistake introduced by an earlier amendment.

### **35 U.S.C. § 101 Rejection, Non-statutory matter**

Claim 9 has been rejected as being directed to non-statutory subject matter. Applicants respectfully disagree with this rejection. However, in order to expedite allowance of in this case, applicants have amended claim 9 according to the office action's recommendation. Accordingly, Applicants respectfully request that this rejection be withdrawn.

### **35 U.S.C. § 102 Rejection, Moran**

As noted above, claims 1-21 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Moran.

Applicants submit that Moran discloses a system used to perform monitoring and performance analysis of applications executed within network environments. (*See* Moran, Abstract). The system is configured to monitor multiple applications in a variety of network environments. (*See* Moran, col. 30, lines 63-64). The system further gathers performance metrics based on performance data collected for the applications. (*See id.*, col. 2, lines 7-14).

In contrast, amended independent claim 1 recites, in pertinent part, an “application component having associated information in *a component repository* of [an] IDE runtime environment, wherein the component repository is *configured to provide a list of components that are available to be invoked by the IDE runtime environment*” (emphasis provided). The Examiner asserts that Moran, at column 30, line 66 - col. 31, line 2, discloses a component repository. (*See* Office Action, page 4, section 9); however, a review of that passage (as well as the remainder of Moran) fails to reveal any disclosure of a component repository. Instead, column 30, line 66 - column 31, line 2 discloses a “media module [that] provides an IDE interface on a set of user defined backplane signals.” Applicants submit a media module is not the same as a component repository. Specifically, Moran discloses that “the role of the media module is... to monitor a physical network segment, perform various levels of real-time analysis and to report events and statistics to [an] application server module” (col. 9, lines 59-62), whereas amended claim 1 recites that “the component repository is to provide a list of components that are available to be invoked by the IDE runtime environment.”

Moreover, it should be noted that while both the recited element of claim 1 and the cited passage of Moran use the term “IDE,” the term is used in very different ways in each respective document. In claim 1, the term “IDE” means an “integrated development environment,” as the acronym is defined in the preamble of claim 1. In contrast, Applicants submit that the cited passage of Moran uses the term IDE to mean “integrated drive electronics,” a well-known communication interface for storage hardware (such as hard disk drives, optical drives and the like). For example, the cited passage of Moran discloses that “The HDD (when equipped) resides on a CPCI rear transition module directly behind the media module. The media module provides an IDE interface on a set of user defined CPCI backplane signals.” (Moran, c. 30, l. 66 – c. 31, l. 2). There can be no reasonable doubt that Moran’s use of the term “IDE” refers to the well-known hardware communication interface (especially since Moran uses the term “IDE interface” in describing how communication is provided with a hard disk drive (“HDD”).

Consequently, Moran’s media module performs a completely different function from claim 1’s component repository. Moreover, because Moran’s media module is a hardware interface for a disk drive, there is no way it could be modified to function as a part of an integrated development environment, as recited by claim 1. As such, Applicants respectfully submit that Moran fails to anticipate each and every element of independent claims 1, and claim 1 therefore is allowable over Moran. Claim 9, like claim 1, recites an “application component having associated information in a component repository of [an] IDE runtime environment.” Claim 9, therefore, is allowable for at least similar reasons.

Claim 10 recites, inter alia, “a component repository configured to maintain a list of available application components that can be invoked by an integrated development environment (“IDE”) runtime environment.” For at least the reasons noted above, the media module disclosed by Moran would be unable to maintain a list of available application components that can be invoked by an integrated development environment, since it is merely part of a hardware interface for a hard disk drive. Claim 10, therefore, is allowable over Moran as well.

Dependent claims 2-8 and 11-21 each ultimately depend from either claim 1, claim 9, or claim 10, and therefore are allowable over Moran at least by virtue of their dependence from allowable base claims.

### **35 U.S.C. § 102 Rejection, Lemon**

Claims 1, 9 and 10 have been rejected under 35 U.S.C. § 102(e) as being anticipated by U. S. Patent No. 7,016,953 to Lemon (hereinafter "Lemon").

Applicants submit that Lemon discloses an apparatus for monitoring data flow in a web application. The apparatus includes a data collector that collects data regarding transactions on a server hosting web application components. (*See Lemon, Abstract*). Lemon further discloses that the apparatus includes a HTTP transaction GUI. The GUI displays a list of the transactions and specific data for each individual transaction. (*See id.*, col. 7, lines 38-51).

In contrast, amended independent claim 1, and similarly amended independent claim 9, recite, in pertinent part, "application component having associated information in a *component repository* of [an] IDE runtime environment, wherein the component repository is *configured to provide a list of components that are available to be invoked by the IDE runtime environment.*" (emphasis provided). Applicants submit that nowhere does Lemon disclose this element. The Examiner asserts that Lemon's display of the list of transactions in the transaction GUI teaches claim 1's component repository that provides a list of available components. (*See Office Action, page 10, section 10*).

Applicants respectfully disagree with the Examiner's assertion. Nowhere does Lemon disclose either a component repository or providing a list of available components. Lemon merely discloses displaying a list of transactions that have occurred on a server. No reasonable construction of Lemon's list of transactions would permit the inference that the transactions are "components that are available to be invoked by [an] IDE runtime environment." Moreover, the Examiner's proposed interpretation would require Lemon's listed transactions to be "application components," and Lemon provides no support for any such interpretations. Rather, Lemon's list displays transactions that already have occurred, not any sort of components

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that can be invoked. Thus, for at least these reasons, applicants respectfully submit that Lemon fails to anticipate claims 1 and 9. Accordingly, applicants respectfully request the withdrawal of the rejection of claims 1 and 10.

Claim 10 recites, inter alia, "a component repository configured to maintain a list of available application components that can be invoked by an integrated development environment ("IDE") runtime environment." As noted above, Lemon fails to teach or suggest such a component repository, and claim 10, therefore is allowable over Lemon. Reconsideration of the rejection of claim 10 is respectfully requested.

### **CONCLUSION**

In view of the foregoing, the applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

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Respectfully submitted,

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